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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/072,320	02/07/2002	Russell Mumper	NANO:002USD1	5127
7590	03/02/2006			
David L. Parker, Esq. FULBRIGHT & JAWORSKI L.L.P. Suite 2400 600 Congress Avenue Austin, TX 78701			EXAMINER HARTLEY, MICHAEL G	
			ART UNIT	PAPER NUMBER
			1618	
DATE MAILED: 03/02/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.



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EXAMINER

ART UNIT	PAPER
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20060228

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Commissioner for Patents

Reply Brief

The reply brief filed 12/27/2005 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.


In addressing the status of claim 58 in the reply brief, it is noted that claim 58 should be pending and should be included in the rejection set forth in the examiner's answer, as this inconsistency appeared to be typographical error based on an amendment canceling claim 58 that was not entered. However, claim 58 has been rejected for the reasons of record in the office action mailed 2/2/2004 and there is no showing on why the claims should not stand and fall together. Claim 58 should be included in the examiner's answer and considered in the appeal as this limitation is addressed in the conclusion of the examiner's answer.

Information Disclosure Statement

The information disclosure statement filed 10/11/2005 fails to comply with 37 CFR 1.97(c) because it lacks a statement as specified in 37 CFR 1.97(e). It has been placed in the application file, but the information referred to therein has not been considered.

Attachment:

Copies of PTO-1449, filed in the IDS filed 10/11/2005


Michael G. Hartley
SPE
Art Unit: 1618